



Date: 22.09.2022

TITLE INVESTIGATION REPORT

TO WHOM IT MAY CONCERN

Dear Sir,

Subject:- Property situated at Lunsikui area, Kershasp Road, Navsari City, Tal: & Dist: Navsari having City Survey Tika No. 80, City Survey No. 3641/2 A Tenure land, N.A. land admeasuring 1794.00sq.mtrs and proposed building construction there upon which is known as **VIVANTA CARE** [Including Ground floor (Two Shop)+ 7 floor (open hall on each floor)] & **VIVANTA JAFFAR** [Including Basement + Parking + 5 Floor (2 flat of 3BHK on each floor)].

As per your oral request me to furnish non encumbrance and certify and submit the title Clearance cum Opinion report about the clear and marketable title to the above referred property which is stand in the name of **S B DEVELOPERS PARTNERSHIP FIRM & ITS PARTNERS** namely (1) **SANJAY BHAVANBHAI PATEL** (2) **CHETNABEN SANJAY PATEL** & (3) **KRISHNALKUMAR RAMANBHAI PATEL** [Present owners].

1. DESCRIPTION AND AREA OF PROPERTY WITH BOUNDARIES:-

Property situated at Lunsikui area, Kershasp Road, Navsari City, Tal: & Dist: Navsari having City Survey Tika No. 80, City Survey No. 3641/2 A Tenure land, N.A. land admeasuring 1794.00sq.mtrs and proposed building construction there upon which is known as **VIVANTA CARE** [Including Ground floor (Two Shop)+ 7 floor (open hall on each floor)] & **VIVANTA JAFFAR** [Including Basement + Parking + 5 Floor (2 flat of 3BHK on each floor)] which bounded as under: -

East : Adjoining Land of City Survey No. 3642.
West : Adjoining Land of City Survey No. 3641/1.
North : Adjoining Land of City Survey No. 3641/3.
South : Adjoining Kershasp road.



2. Nature of the property (Whether agricultural, non-agricultural, commercial, residential or industrial. IF non- agricultural, the reference & date of conversion order from the competent authority should also be mentioned).

- Property is Residential cum commercial Building.
- The said land is A tenure Land (Earlier Gamtal land). It is clearly shown in city survey records. The A tenure land never used for agriculture purpose. So in this case, there is a no need of N.A. Order.

3. Name of the Mortgagor/owner and status in the account i.e. borrower or guarantor and whether individual, Sold proprietor, Partner, Director, Karta or Trustee. In case the Mortgagor is Partner/ Director / Trustee who is mortgaging the property on behalf of Partnership / Company / Trust, whether he/she has the authority. Copy of the Resolution/ Memorandum & Articles of Association / Trust Deed etc. Whether examined and verified:

S B DEVELOPERS PARTNERSHIP FIRM & ITS PARTNERS namely (1) SANJAY BHAVANBHAI PATEL (2) CHETNABEN SANJAY PATEL & (3) KRISHNALKUMAR RAMANBHAI PATEL [Present owners]

4. Whether any minor, lunatic or un-discharged insolvent is involved. Confirm that the present owner/s has sufficient capacity to contract. Precautionary steps to be taken.

No minor interest involved regarding this property and present owners have sufficient capacity to contract.

5. Whether the property is Freehold or Leasehold. If Leasehold then period of lease and if Freehold whether Urban Land Ceiling Act applies and permissions to be obtained.

This property is free hold and urban ceiling act is not applicable.

6. Source of property i.e. self acquired or Ancestral then mode of succession and whether original Will/Probate is available.

This property is self acquired property.



7. Whether the owner is co-owner/Joint Owner and/or any partition of the property is made between the members of the family through Partition Deed? If yes, whether original Registered Partition Deed is available or it is only a family settlement.

- Present owners are having joint ownership rights over the said property.
- Yes, the partition deed was executed between family members. The copy of deed is not available. But it was partition by city survey superintendent by order no. CTS /Vi. Measurement /Navsari-3 /Vashi 235/2021 dated 16.09.2021 and it is already mutated in city survey records and said entry was certified by city survey superintendent.

8. Whether the present owner is in exclusive possession of the property? Or it is leased rented out to third party?

- Present owner have exclusive possession over the said property.
- No said property is not leased or rented out to third party.

9. Whether the property is mutated in municipal/revenue records and present owner's name is reflecting and if not, the reason thereof.

This property is mutated in records of city survey records of Navsari and it is stand in the name of S B DEVELOPERS PARTNERSHIP FIRM & ITS PARTNERS namely (1) SANJAY BHAVANBHAI PATEL (2) CHETNABEN SANJAY PATEL & (3) KRISHNALKUMAR RAMANBHAI PATEL.

10. Whether any restriction for creation of Mortgage is imposed under Central/State/Local Laws? If yes, then specify whose consent of permission would be required for creation of mortgage?

No Restriction.

11. Whether all the original Title Deeds including antecedent Title Deeds and other relevant documents are available. Please give detailed list.

1. True copy of registered sale deed no. 4429 dated 23.05.2022.
2. True copy of Property Card of City Survey No. 3641/2.
3. True copy of Register of Firms: Form-G.
4. True copy of Partnership Deed dated 06.06.2019.
5. True copy of order given by City Survey superintendent.



dated 16.09.2021.

6. True copy of development permission dated 09.02.2022 along with approved plan.

12. Whether the Advocate has personally visited In Sub-Registrar/ Revenue/Municipal office and examined the record.

I have personally visited the office of the Sub-Registrar, Navsari taken search for 30 years i.e. from 1992 to 2022.

13. Whether the Search is being made for the period of 30 years. If no, reason thereof.

Yes, I have taken search for last 30 years.

14. Details of Documents Examined /Scrutinized (This would be in chronological order with the serial numbers, type/nature of documents, date of execution parties, date of registration details including the details of Revenue/Society records etc.

It is already mentioned in Point No. 11.

15. Tracing of Chain of title in favor of the Mortgagor/ owner starting from the earliest documents available. The nature of document/Deeds conveying the title should be mentioned with description of parties along with the type of right it creates.

1. Looking to the above stated facts and records produced before me and after taking search at the office of Sub-Registrar, Navsari for the last 30 years it is very clear that that originally the above referred said properties land i.e. City Survey No. 3641 admeasuring 4982sq.mtrs was in the names of (1) YOUSUFALI SADARUDDIN SAIYED (2) MUSLIMODDIN SADRUDDIN SAIYED (3) TAJODDIN SADRUDDIN SAIYED (4) ALAUDDIN SADRUDDIN SAIYED & (5) JAFARSHAH SADRUDDIN SAIYED, prior to 1982.

2. Then after in the year 1997, on account of death of YOUSUFALI SADARUDDIN on dated 26.09.1997, after due all legal procedure, his legal heirs namely (1) ASIFALI YOUSUFALI SAIYED (2) FAZILALI SAIYED, s/o YOUSUFALI SADARUDDIN SAIYED & (3) RUBINA IMTIYAZALI KADRI, d/o YOUSUFALI SADARUDDIN SAIYED were brought on records. Thus, (1) MUSLIMODDIN SADRUDDIN SAIYED (2) TAJODDIN



SADRUDDIN SAIYED (3) ALAUDDIN SADRUDDIN SAIYED (4) JAFARSHAH SADRUDDIN SAIYED (5) ASIFALI YOUSUFALI SAIYED (6) FAZILALI SAIYED, s/o YOUSUFALI SADARUDDIN SAIYED & (7) RUBINA IMTIYAZALI KADRI, d/o YOUSUFALI SADARUDDIN SAIYED became absolute lawful owner of above referred said land. It is clearly shown in property card vide entry no. 1387 dated 29.11.1997 which was certified on dated 05.01.1998.

3. Then after, a land distribution was made between family members and they applied in city survey superintendent on dated 09.09.2021 and city survey superintendent passed necessary order no. CTS /Vi. measurement /Navsari-3 /Vashi 235/2021 dated 16.09.2021 and said City Survey No. 3641 admeasuring 4982sq.mtrs was divided into three parts. i.e. City Survey No. 3641/1 admeasuring 2691.00sq.mtrs was allotted to (1) Muslimoddin Sadruddin SAIYED (2) Tajoddin Sadruddin SAIYED & (3) Alauddin Sadruddin SAIYED, City Survey No. 3641/2 admeasuring 1794.00sq.mtrs was allotted to (1) JAFARSHAH SADRUDDIN SAIYED (2) ASIFALI YOUSUFALI SAIYED (3) FAZILALI SAIYED, s/o YOUSUFALI SADARUDDIN SAIYED & (4) Rubina Imtiyazali KADRI, d/o YOUSUFALI Sadaruddin SAIYED and City Survey No. 3641/3 admeasuring 497.00sq.mtrs was allotted jointly to (1) Muslimoddin Sadruddin SAIYED (2) Tajoddin Sadruddin SAIYED (3) Alauddin Sadruddin SAIYED (4) JAFARSHAH SADRUDDIN SAIYED (5) ASIFALI YOUSUFALI SAIYED (6) Fazilali SAIYED, s/o YOUSUFALI Sadaruddin SAIYED & (7) Rubina Imtiyazali KADRI, d/o YOUSUFALI Sadaruddin SAIYED. Thus, (1) JAFARSHAH SADRUDDIN SAIYED (2) ASIFALI YOUSUFALI SAIYED (3) FAZILALI SAIYED, s/o YOUSUFALI SADARUDDIN SAIYED & (4) RUBINA IMTIYAZALI KADRI, d/o YOUSUFALI SADARUDDIN SAIYED became absolute lawful owner of above referred said land of City Survey No. 3641/2 admeasuring 1794.00sq.mtrs. It is clearly shown in property card vide entry no. 20107 dated 24.09.2021 which was certified on dated 01.11.2021.
4. Then after in the year 2021, (1) JAFARSHAH SADRUDDIN SAIYED (2) ASIFALI YOUSUFALI SAIYED (3) FAZILALI SAIYED, s/o YOUSUFALI SADARUDDIN SAIYED & (4) RUBINA IMTIYAZALI KADRI, d/o YOUSUFALI SADARUDDIN SAIYED applied in the office of Navsari-Vijalpore Nagar Palika (Navsari Zone) for development permission by application no. 109BDP21220054 dated 26.01.2022 and issued development permission no. 109BP21220051, ODPS Application no. ODPS /2021 /083210 dated 09.02.2022[Including Ground floor (Two Shop)+ 7 floor (open hall on each floor)] on commercial building [Including Basement + Parking + 5 Floor (2 flat of 3BHK on each floor)]



on residential building] and the said permission will be valid till 08.02.2023.

5. Then after in the year 2021-2022, **ASIFALI YOUSUFALI SAIYED** executed power of attorney in favor of **JAFARSHAH SADRUDDIN SAIYED** which was notarized before notary public on dated 25.10.2021 at California and which was registered in the sub-registrar, Navsari by sr. no. 625 dated 29.01.2022.
6. Then after in the same year, **FAZILALI SAIYED, s/o YOUSUFALI SADRUDDIN SAIYED** executed General POA in favor of **JAFARSHAH SADRUDDIN SAIYED** which was notarized before notary public dated 07.12.2021 at Illinois and the said POA submitted to collector office, Navsari for Stamping purpose and Treasury office, Navsari special adhesive stamped on dated 11.01.2022 and said POA was registered in the sub-registrar, Navsari vide sr. no. 626 dated 29.01.2022.
7. Then after in the same year, **RUBINA IMTIYAZALI KADRI, d/o YOUSUFALI SADRUDDIN SAIYED** executed General POA in favor of **JAFARSHAH SADRUDDIN SAIYED** which was notarized before notary public dated 27.10.2021 at Wisconsin and the said POA submitted to collector office, Navsari for Stamping purpose and Treasury office, Navsari special adhesive stamped and said POA was registered in the sub-registrar, Navsari vide sr. no. 624 dated 29.01.2022.
8. Then after in the same year, (1) **JAFARSHAH SADRUDDIN SAIYED**, self and POA holder of all (2) **ASIFALI YOUSUFALI SAIYED** (3) **FAZILALI SAIYED, s/o YOUSUFALI SADRUDDIN SAIYED** & (4) **RUBINA IMTIYAZALI KADRI, d/o YOUSUFALI SADRUDDIN SAIYED** sold above referred said land of City Survey No. 3641/2 admeasuring 1794.00sq.mtrs to **S B DEVELOPERS PARTNERSHIP FIRM & ITS PARTNERS** namely (1) **SANJAY BHAVANBHAI PATEL** (2) **CHETNABEN SANJAY PATEL** & (3) **KRISHNAL RAMANBHAI PATEL** by registered sale deed no. 4429 dated 23.05.2022. Thus, they became absolute lawful owner of the above referred said land. It is clearly shown in property card vide entry no. 21455 dated 15.06.2022 which was certified on dated 04.08.2022.
9. This partnership deed was executed between (1) **SANJAY BHAVANBHAI PATEL** (2) **CHETNABEN SANJAY PATEL** & (3) **KRISHNAL RAMANBHAI PATEL** which is known as **S B DEVELOPERS PARTNERSHIP FIRM & ITS PARTNERS** on dated 01.06.2019 which was notarized



before notary public vide sr. no. 9064 dated 06.06.2019.

10. The said land is A tenure Land (Earlier Gamtal land). It is clearly shown in city survey records. The A tenure land never used for agriculture purpose. So in this case, there is a no need of N.A. Order.

The transactions as evidenced in revenue records, registered sale deeds are executed by competent lawful owners having had valid legal rights, titles, interest in all respect at the relevant time. The said transactions have not been challenged in any court of law; hence it can be presumed that there is no dispute regarding right, title, interest whatsoever pertaining to the said property.

The mutation entries referred above in this report though having been passed years back was never challenged in any Court of Law and therefore, the presumption that no dispute in any manner as to title, possession or any other rights ever raised. Under the circumstances, there was no rival or any other contender as to right, title interest, possession or otherwise in respect of subject lands.

I have arranged/visited to the Registrar's Office and conducted search of the last 30 years and ensured the correctness of the entries in the register and confirm there is **No Charge** in the EC/L.O.D./Search Report.

16. Whether there is any doubt/suspicion about the genuineness of the original documents. If yes, then specify.

No, there is no doubt/suspicion about the genuineness of the original documents.

17. The Final Certificate of the Advocate confirming that title of the property(s) to be mortgaged is examined by him and the same is/are clear and marketable.

I have gone through all facts and records submitted before me and after taking search at the office of the Sub-Registrar, Navsari for the last 30 years, I am of the opinion that the said property is clear, saleable, and marketable and does not bear encumbrances of any nature or kind beyond reasonable doubts and has clear and marketable title.

18. Whether any additional formalities to be completed by the present owners. If yes, state specifically in case of flat(s)/Property(s) in Co-operative Societies, whether allotment letter, possession letter, share



certificate, affidavit, power of Attorney etc. is required.

No.

19. Whether the property is enforceable under SARFAESI Act?

Yes

All the documents submitted before me are Returned herewith.

Enclosure:

1. Search Receipt No. 202207400012479 [Application No. 4611] dated 03.09.2022.
2. Encumbrance Certificate No. 20220902523181299 dated 02.09.2022.

Place: Navsari.

Date: 22.09.2022



S.S. Pradhan

(Sanjay Shrinivas Pradhan)
Advocate & Notary